

PLANNING BOARD & PLANNING DEPARTMENT

Fiscal Year 2011

INTRODUCTION

This report summarizes the land use, planning, and zoning activities of the Amherst Planning Board and Planning Department during Fiscal Year 2011. In FY 11, in addition to the Planning Board, the Planning Department also provided principal staff support for the Zoning Board of Appeals, Design Review Board, Historical Commission, Town/Commercial Relations Committee, Amherst Redevelopment Authority, the Kendrick Park Design Advisory Committee, the Community Development Committee, the Housing Partnership/Fair Housing Committee and Disability Access Advisory Committee. Please also refer to the Annual Report for each of those Boards and Committees for more information on their activities.

CURRENT PLANNING

As in previous years, development issues, permit applications, and Zoning Amendments (including amendments related to Master Plan implementation) occupied much of the time of the Board and Department during FY 11.

Table 1 provides a statistical review of the Department's activities, including the various permits it oversees, and zoning and other regulatory changes.

Table 1

<u>Planning Board – Land Use & Zoning Activity</u>	
<u>Review & Action</u>	<u># of Applications</u>
1. Planning Board Special Permits	0
2. Form A (Approval Not Required) Subdivisions	6
3. Cluster Subdivision	0
4. Standard Subdivision	0
5. Subdivision Amendments	0
6. Subdivision Lot Releases	13
7. Subdivision/Site Plan Escrow Releases	1
8. Street Name Changes	0
9. Development Authorization Requests	1 *
10. Site Plan Review Requests	10
11. Sign Plans Approved/Signs Reviewed	6
12. Lighting Plans Approved	0
13. Revised Final and/or Landscape Plans Approved	8

14.	Scenic Road Applications Reviewed	0
15.	Ch. 61 Removals Reviewed	1
16.	Ch. 61A Removals Reviewed	0
B.	<u>Review & Recommendation</u>	
1.	Zoning Amendments	13
2.	Rules & Regulations Amendments	1
3.	Special Permits/Variances	25
4.	Street Acceptances	0
5.	Street Discontinuances	0

* Section 14 of the Zoning Bylaw, Phased Growth, expired in November 2010.

Some of the more significant planning development proposals and issues of FY 10? included the following:

Commercial/Institutional

- Site Plan Review approval for 321 Main Street for entire parcel of shops and offices located across from Emily Dickinson Museum after rezoning from R-G to B-N zoning district.
- Site Plan Review approval for the Lumberyard Restaurant, a new Class I restaurant at 381 -383 Main Street after rezoning from COM to B-VC.
- Site Plan Review amendment approval for previously-approved Boltwood Place, a new LEED-certified mixed use building in downtown Amherst with 12 residential units and office or retail space on the ground floor.
- Site Plan Review approval for a duplex at 79 Taylor Street, a formerly single-family house in a historic neighborhood, converted into a two-family house via a large addition.
- Site Plan Review approval for Ginger Garden Restaurant, a new Asian restaurant at the corner of Route 9 and University Drive, at the site of the former China Dynasty.
- Site Plan Review approval for the Amherst Survival Center's plans to construct a new building at the former Rooster's Restaurant site in North Amherst.

Town/Public

- Site Plan Review for addition to Comfort Station at Community Field, including handicapped accessibility ramp and landscaping.
- Site Plan Review for new handicapped accessible door and new parking lot at South Amherst School on South East Street.

- Site Plan Review approval for new handicapped accessible, landscaped entry plaza for Bangs Community Center.

Zoning Amendments

The Zoning Subcommittee and Planning Department staff worked on thirteen (13) Zoning Amendments during FY 11, and held two Zoning Forums to solicit citizen input and recommendations on desired zoning changes. Ultimately, ten (10) Zoning Amendments were reviewed by the Planning Board and brought to Town Meeting, six (6) were adopted by Town Meeting, three (3) were defeated and one (1), was referred back to the Planning Board for further review.

- Accessory Livestock & Poultry (Planning Board) – Article 9, to amend Section 5.014 and Article 12 of the Zoning Bylaw to regulate the raising and keeping of selected fowl in the R-G, R-VC and R-N Districts by right or through Special Permit as an accessory use, to create numerical limitations on such accessory uses according to species or breed and available lot size and to create clarifying definitions, was referred back to the Planning Board for further study by Town Meeting on November 8, 2010.
- Farm Stands (Planning Board) – Article 10, to amend Section 3.312 and Article 12 of the Zoning Bylaw to adjust the acreage requirements for farm stands and to establish a definition of farmland reflecting changes in state laws, was adopted by Town Meeting on November 8, 2010.
- Development Modification (Planning Board) – Article 8, to amend Article 4, Table 3, Dimensional Regulations, and Articles 6, 12 and 14 of the Zoning Bylaw to amend and unify existing affordable housing incentives, to establish new definitions, and to replace the current phased growth regulations with a new method for regulating the densities and dimensions of proposed residential and mixed uses and developments, received 61% support (96Y to 58N) but failed by 9 votes to achieve a 2/3s majority of Town Meeting on November 10, 2010.
- Medical Use Definitions (Planning Board) – Article 11, to amend Article 12 of the Zoning Bylaw to clarify existing definitions for medical group practices and medical centers, was adopted by Town Meeting on November 8, 2010.
- Watershed Protection (WP) Lot Coverage (Planning Board) – Article 30, to amend Section 6.18 and Table 3, Dimensional Regulations and its associated footnotes in the Zoning Bylaw in order to comply with state surface water supply protection regulations, was adopted by Town Meeting on May 25, 2011.
- SPR Submission Requirements (Planning Board) – Article 31, to amend Section 11.220 of the Zoning Bylaw to clarify submission standards for Site Plan Review approval applications, was adopted by Town Meeting on May 25, 2011.
- Duplexes (Planning Board) – Article 28, to amend Section 3.321 and Article 12 of the Zoning Bylaw in order to change the permit requirement for duplexes lacking owner occupants and to improve the current definition of duplexes, received 62% support (81Y to 49N) but failed by 5 votes to achieve a 2/3s majority of Town Meeting on May 23, 2011.

- Residential Parking Regulations (Planning Board) – Article 29, to amend Sections 7.000 and 7.1 of the Zoning Bylaw to reduce the residential parking requirements in existing centers and for multi-family uses generally, to clarify the paving requirements for residential parking, and to amend lighting requirements for residential parking, received 63% support (73Y to 42N) but failed by 3 votes to achieve a 2/3s majority of Town Meeting on May 23, 2011.
- Accessory Livestock or Poultry (Petition) – Article 33, to amend Section 5.014 and Article 12 of the Zoning Bylaw in order to change the permit requirement for accessory livestock or poultry in residential districts and to provide clarifying definitions, was adopted by Town Meeting on May 25, 2011.
- Filling of Land Permitting (Planning Board) – Article 32, to amend Sections 3.12 and 5.10 of the Zoning Bylaw in order to include reference to Site Plan Review approval in the regulation of filling, to update the requirements for engineered site plans associated with filling, and to allow the permit-granting body for the principal use to also grant any associated Special Permit for accessory filling of land above established thresholds, was adopted by Town Meeting on May 25, 2011.

MASTER/COMMUNITY PLANNING

Efforts continued on a number of long-range planning issues, while new issues and projects also involved the time and attention of the Planning Board and Planning Department.

Master Plan

On February 3, 2010 (FY 10), the Planning Board voted to adopt the Master Plan. During FY 11 the Planning Board's Zoning Subcommittee and the Planning Board as a whole worked to implement the goals and objectives of the Master Plan by developing and bringing to Town Meeting several zoning amendments.

In February 2011, the Planning Board's Zoning Subcommittee hired a consultant, The Cecil Group, to work with the Planning Board to begin the process of planning and developing Form-based rezoning for the Village Centers of North Amherst and Atkins Corners. Design workshops for those village centers were held on May 7 (North Amherst) and May 14 (Atkins Corners).

A link to the Master Plan is here:

<http://www.amherstma.gov/index.aspx?NID=526>

Kendrick Park

In August 2010, The Cecil Group of Boston was chosen from among 13 firms to prepare a Schematic Design and Preliminary Cost Estimate for Kendrick Park. During the fall of 2010 and the winter and spring of 2011, Planning Department staff worked with the Town Manager, the Kendrick Park Design Advisory Committee (KPDAC) and The Cecil Group to develop a Schematic Design. The KPDAC held numerous public meetings and public forums and in June 2011 a final Schematic Design and Preliminary Cost Estimate was presented to the Town Manager for Kendrick Park.

Amherst Redevelopment Authority

In the spring of 2011, the Amherst Redevelopment Authority (ARA) hired consultant, ACP Visioning + Planning to guide a visioning process for the Gateway Corridor area of town, stretching from the UMass campus to downtown Amherst, to develop a vision for the project area, to draft actions steps to be taken to bring the vision to fruition and to determine if portions of the project area were eligible for urban renewal under M.G.L. c. 121B. A series of public participation workshops were held in May 2011 and a report “Urban Renewal Assessment, Vision and Action Steps for the Gateway Corridor Project” was delivered to the ARA by the consultant in June 2011. The Planning Department staff coordinated the hiring of the consultant and worked with the ARA and ACP to facilitate the workshops.

Disability Access Advisory Committee

The goals of the Disability Access Advisory Committee (DAAC) are to serve the Town of Amherst and its citizens as an advisory committee on issues of physical, programmatic and employment accessibility and to ensure equal access for people with disabilities. The Planning Department provides staff liaison to this committee. Applications for Site Plan Review and Special Permits that involve public access are brought to the DAAC for review and comment. Through the staff liaison the DAAC makes recommendations to the Planning Board and Zoning Board of Appeals. The DAAC also reviews applications to the Massachusetts Architectural Access Board (AAB) for projects requesting waivers from compliance with accessibility standards.

Open Space and Recreation Plan (OSRP)

In July 2009 the Planning Department and Conservation Department staff submitted an update of the Town’s OSRP to the Massachusetts Department of Conservation Services. It was approved as a seven-year plan with additional action items. The OSRP has been used extensively to support grant applications for water supply protection, land conservation, and expansion and improvements to the Town’s recreational facilities. It is essential to maintain and update the plan as it is a requirement of many state-funded grants, including the LAND and PARC programs.

Commonwealth Capital

In August 2010, Planning Department staff submitted the Commonwealth Capital application for Fiscal Year 2011 on behalf of the community – a task the Department has undertaken since the program’s inception in 2005. For FY 11, Amherst received a score of 97 points. The Commonwealth Capital program was established several years ago to promote more sustainable land use choices in Massachusetts cities and towns. The program examines thirty-two (32) aspects of a municipality’s implementation of sustainable zoning, planning, housing, environmental, energy, and transportation measures in place at the time of the application. The score will play an important role in the evaluation and distribution of more than \$600 million in state grants and low interest loans.

Historic Preservation

The Historic Commission supported the Local Historic Study Committee (LHDSC) as it researched and discussed the proposed Local Historic District centered on the Dickinson

Museum. The LHDSC held monthly meetings and two public forums to engage residents of the district. There was initial support for preserving the character of the neighborhood and integrity of the homes, although there were too many questions for full support of a Local Historic District. The LHDSC continued with research and public outreach to help determine the final boundaries of the district and specific requirements of the draft bylaw.

The Department continued to assist the Historical Commission with its ongoing implementation of the 2005 Amherst Preservation Plan, including the development of proposals for CPA funding for historic preservation projects. The 2011 Annual Town Meeting appropriated a total of \$288,600 in CPA funds for historic preservation projects.

In FY 11, among numerous other projects, the Planning Department and Historical Commission were involved in overseeing the conservation of the Civil War Tablets, final designs for the signs at West Cemetery and review of projects for the new Survival Center in North Amherst as well as the Hawthorne property located at 235 East Pleasant Street.

A link to the Amherst Preservation Plan is here: <http://www.amherstma.gov/DocumentView.aspx?DID=1125>

(Note: this is a large file)

Downtown

In FY 11, the Planning Department continued to pursue downtown revitalization projects involving such issues as parking, public open space, historical issues, and public infrastructure projects.

The multi-year streetscape redesign and reconstruction of downtown sidewalks continued. The Planning Department assisted the Department of Public Works with development of designs for new sidewalk improvements on Spring Street and the Town Common parking lot.

The Department worked with the Tree Warden, Public Shade Tree Committee and others on downtown street tree issues and the development of designs for streetscape improvements in other areas.

Housing

The Planning Department assisted the Housing Partnership/Fair Housing Committee (HP/FHC), Amherst Housing Authority (AHA), and the Community Preservation Act Committee with analysis and development of projects to protect existing affordable housing and provide for the creation of new affordable units. The committee continued to review plans for development of 42 affordable units of rental housing at Olympia Oaks, as well as support the study of historic preservation and adaptive reuse of the Hawthorne property for affordable housing. As one of the partners of the CPA request to purchase the Hawthorne property, the HP/FH committee helped lead the public outreach process, co-chairing public meetings with the LSSE Commission. The culmination of this public process was the preparation of a report to the Town Manager with recommendations for reuse of the property for affordable housing.

The HP/FH committee held an affordable housing forum in April 2011 to increase public awareness about development and costs of housing. Panelists from area communities including Northampton, Easthampton and Amherst attended. The committee also supported the CDBG

request for funds to develop a Housing Production Plan and CPA requests to hire a consultant to preserve affordable housing at Rolling Green, and Habitat for Humanity's request for funding for an affordable single-family home on Belchertown Road.

Pre-development analyses, examination of alternative approaches, and discussions were held with developers and UMass regarding affordable housing developments at Olympia Drive, Pomeroy Village and elsewhere. Several discussions were held with private developers pursuing the potential for private student housing projects.

Planning staff and the Planning Board's Zoning Subcommittee continued to research and further develop amendments to the Zoning Bylaw to encourage affordability in new residential development. See Zoning Amendments.

Rail Service in Amherst

In FY 11, Planning Department staff continued to work with the Central Corridor Coalition, the Central Corridor Working Group (a steering committee of the Coalition), the Pioneer Valley Regional Planning Commission, representatives of the state government, Planning Board members, and others in MA communities to investigate ways of upgrading the Central Corridor (the New England Central Railroad (NECR) line) to provide rail passenger access through Amherst to communities and institutions in Vermont, Connecticut, and, via a rail stop at Palmer, to and from Boston. The Central Corridor project will help maintain passenger rail service in Amherst following completion of the Knowledge Corridor project (which will move Amtrak rail service to Northampton), and will expand passenger rail service for Amherst as part of a sustainable, responsible passenger rail network for southern New England.

In addition to visiting municipalities and state and private transportation agencies, Planning Department staff participated in public forums and meetings in MA (Palmer) and CT (Mansfield, Norwich, New London) in support of the Central Corridor project. Staff also helped to draft and coordinate letters of support from Amherst for federal rail transportation grants applied for by NECR, and coordinated efforts to include the Central Corridor as a regional transportation priority before the Joint Transportation Committee of the Pioneer Valley Planning Commission planning documents, and in the Massachusetts Rail Plan.

Office of Conservation and Development

In May 2009, the Planning Department staff helped complete a one (1) year process to relocate the Inspection Services Department into the same office as the Planning and Conservation Departments. During FY 11 the merging of these Departments continued to absorb a great deal of staff effort and included devotion of Planning Department staff towards further refinement, implementation and utilization of the MUNIS permit software program. The effort to create the Office of Conservation and Development has provided a coordinated and efficient place for citizens, business owners, and potential applicants to access information and meet with staff members.

Staff of the Department of Conservation and Development implemented a plan to integrate the staff of the Community Development Department into the Department of Conservation and Development. The Community Development Department staff included Roy Rosenblatt,

Director, and Ruth Taylor, Administrative Assistant. Mr. Rosenblatt and Ms. Taylor became integral members of the Department of Conservation and Development.

Over the course of FY 11, as Mr. Rosenblatt began to plan his retirement, Nate Malloy, Associate Planner, assumed many of the responsibilities of Mr. Rosenblatt. These included working with the Housing Partnership/Fair Housing Committee and Community Development Committee, preparing the annual Community Development Block Grant (CDBG) application and administering the Block Grant.

Collectively, these efforts have resulted in a significant consolidation of departments and resources into a single Office of Conservation and Development, which now includes Planning, Conservation, Inspection Services and Community Development.

STAFF ASSISTANCE/PARTICIPATION

Internal Staff Working Groups

During FY 11, Planning Department staff participated in the following internal staff working groups, among others:

- ❖ Development Group
- ❖ MUNIS Working Group
- ❖ Employee Social Justice Committee
- ❖ Land Use Group (LUG).

Boards and Committees

Planning Department staff provided professional support and technical assistance to numerous Town boards and committees, local and regional boards, as well as Amherst citizens, community groups, other communities, and others. The Town boards and committees directly served by the Planning Department staff in FY 11 included:

- ❖ Planning Board (24 meetings)
- ❖ Zoning Subcommittee (33 meetings)
- ❖ Design Review Board (13 meetings)
- ❖ Zoning Board of Appeals (39 meetings)
- ❖ Historical Commission (20 meetings)
- ❖ Town/Commercial Relations Committee (3 meetings)
- ❖ Disabilities Access Advisory Committee (12 meetings)
- ❖ Redevelopment Authority (28 meetings)
- ❖ Housing Partnership/Fair Housing Committee
- ❖ UMass/Hadley/Amherst economic development dialogue
- ❖ UMass Campus planning effort.

Other committees or bodies for whom the Planning Department provided more occasional assistance in FY 11 include:

- ❖ Public Transportation Committee & Bicycle Subcommittee
- ❖ Public Art Commission
- ❖ Community Preservation Act Committee
- ❖ Public Shade Tree Committee

- ❖ Pioneer Valley Planning Commission
- ❖ Valley Development Council (PVPC-sponsored body)
- ❖ Amherst Regional Chamber of Commerce.

Community Development Block Grant (CDBG) Program

During FY 11, the Planning Department staff became the primary support for managing CDBG projects and applying to the Massachusetts Department of Housing and Community Development (DHCD) for the Mini-entitlement CDBG grants. Planning Department staff also assisted other Town departments, boards, and committees in developing project proposals, and in preparing and reviewing related potential CDBG projects. The CDBG grant helped to fund numerous social service programs ranging from childcare tuition assistance to the Big Brother/Big Sister mentoring program to family night at the Survival Center. Additional CDBG activities included funding for architecture and pre-development of Olympia Oaks, a 42 unit affordable rental housing project, funding for the design of the new Survival Center in North Amherst, and renovation of the Amherst Childcare Center that included new flooring and interior/exterior painting.

PLANNING BOARD MEMBERSHIP

During FY 11, one (1) new Planning Board member – Constance Kruger – was appointed, and five current Board members – Jonathan O’Keeffe, David Webber, Jonathan Shefftz, Bruce Carson and Sandra Anderson – were reappointed.

At the end of FY 11, the Planning Board had nine (9) members: Jonathan Shefftz (Chair), Jonathan O’Keeffe (Vice Chair), Bruce Carson (Clerk), Stephen Schreiber, Richard Roznoy, Robert Crowner, Sandra Anderson, Connie Kruger and David Webber. There were no vacancies.

Planning Board members and Planning Department staff attended the 2011 Citizen Planner Training Collaborative conference in Worcester. Additionally, Planning Board members and Planning Department Staff received training from Town Counsel, Joel Bard, in April 2011.

PLANNING DEPARTMENT STAFF

Jonathan Tucker, Planning Director, completed his 26th year with the Department and continued to provide principal staff support to the Planning Board, Zoning Subcommittee, and Redevelopment Authority, as well as overseeing all activities within the Planning Department.

Christine Brestrup, Senior Planner, completed her 8th year with the Department and continued to provide staff support to the Planning Board, principal staff support to the Design Review Board and to the Kendrick Park Design Advisory Committee and worked on various other Planning Department activities including conceptual planning for Hawthorne Meadow.

Sue Krzanowski, Administrative Assistant, completed her 23rd year with the Department, offering administrative support to the Planning Department, Inspection Services, and Conservation in the consolidated Conservation and Development Department.

Jeffrey Bagg was hired in July 2008 as Senior Planner and provided principal staff support to the Zoning Board of Appeals. He worked on various other Planning Department activities, including Commonwealth Capital and Zoning Bylaw revisions and continued to enhance available online resources, integrated electronic transmittals into the review process and provided ZBA members